

1 THE HONORABLE THOMAS S. ZILLY
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7 UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
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10 BUNGIE, INC., a Delaware corporation,
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12 Plaintiff
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14 v.
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16 AIMJUNKIES.COM, a business of unknown
17 classification; PHOENIX DIGITAL GROUP
18 LLC, an Arizona limited liability company;
19 JEFFREY CONWAY, an individual; DAVID
20 SCHAEFER, an individual; JORDAN GREEN,
21 an individual; and JAMES MAY, an individual,
22
23 Defendants.
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25 Cause No. 2:21-cv-0811 TSZ
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27

28 **DECLARATION OF PHILIP P.
MANN IN SUPPORT OF
DEFENDANTS' OPPOSITION
TO BUNGIE'S MOTION FOR
SUMMARY JUDGEMENT**

Note on Motion Calendar:
August 11, 2023

Oral Argument Requested

16 I, Philip P. Mann, under penalty of perjury under the laws of the United States, state
17 and declare as follows:

18 1. I am counsel for all Defendants in the above captioned matter.
19 2. Attached as Exhibit A (filed under seal) is a true and correct copy of the
20 transcript of the deposition of Dr. Edward Kaiser taken October 4, 2022.
21 3. Attached as Exhibit B (filed under seal) is a true and correct copy of the
22 transcript of the Rule 30(b0(6) deposition of Bungie, Inc. taken October 5,
23 2022.
24 4. Attached as Exhibit C (filed under seal) is a true and correct copy of the Expert
25 Report provided by Mr. Scott Kraemer in this action.

- 1 5. Attached as Exhibit D is a true and correct copy of excerpts from the
- 2 deposition of David Schaefer taken by Plaintiff on October 28, 2022.
- 3 6. Attached as Exhibit E is a true and correct copy of excerpts from the
- 4 deposition of James May taken by Plaintiff on October 25, 2022.
- 5 7. Attached as Exhibit F is a true and correct copy of excerpts from the deposition
- 6 of Jordan Green taken by Plaintiff on October 12, 2022.
- 7 8. Attached as Exhibit G is a true and correct copy of the Expert Report of Mr.
- 8 Steven Guris submitted on behalf of Bungie in connection with this action.
- 9 9. Attached as Exhibit H is a true and correct copy of an excerpt from the
- 10 deposition of “Mr. Doe” taken by Defendants on May 9, 2023.
- 11 10. Attached as Exhibit I is a true and correct copy of “Exhibit 16” presented to “
- 12 Mr. Doe” during his May 9, 2023 deposition.

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14 Dated August 7, 2023.

15 /s/ Philip P. Mann

16 Philip P. Mann